IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven C. Arnold, et. al.

Serial No.: 09/896,004

Art Unit: 1616

Filed

: June 29, 2001

Examiner: N.S. Levy

For

: COMPOSITIONS AND MEDICAL DEVICES UTILIZING

BIOABSORBABLE POLYMERIC WAXES AND RAPAMYCIN

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March 04 2004

William K. Wissing
(Name of applicant, assignee, or Registored Representative)

11/ / 2 2024

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on August 29, 2001, February 26, 2003 and November 17, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the

Docket No. ETH1572



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information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

| in accordance with \$1.97(b), since this information |
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| on the merits of the above-identified application, or before |
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| in §1.17(p). |
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in §1.97(b) above but before the mailing date of either a Final

Action under §1.113 or a Notice of Allowance under §1.311, or

| an action that otherwise croses prosecution and that it is |
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| accompanied by one of: |
| Statement in Accordance with \$1.97(e) |
| (attached); or |
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| in §1.17(p). |
| In accordance with §1.97(d), this Information |
| Disclosure Statement is being filed after the mailing date of |
| either a Final Action under \$1.113 or a Notice of Allowance |
| under \$1.311 but before the payment of the Issue Fee. |
| Applicant(s) hereby petition(s) for consideration of this |
| Information Disclosure Statement. Included are: Statement in |
| Accordance with \$1.97(e) as set forth below and the fee of |
| \$180.00 as set forth in \$1.17(p). |
| ○ Copies of each of the references listed on the |
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| In view of the voluminous nature of references |
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(a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

 \square There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed November 17, 2003.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ETH1572/WKW. This form is submitted in triplicate.

Respectfully submitted,

William K. Wissing

Reg. No. 34,757

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza

New Brunswick, NJ 08933-7003 (732) 524-6201 DATED: Murlu 03, 2054



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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|--|-----------------------------|
| Application Number | 09/896,004 |
| Filing Date | June 29, 2001 |
| First Named Inventor | Steven C. Arnold |
| Group Art Unit | 1616 |
| Examiner Name | N.S. Levy |
| Attorney Docket Number | ETH1572 |
| | |

| | | U.S. Patent Document | | | | |
|--|--------------|----------------------|-------------------------------|--|--|---|
| Examiner Initials | Cite No.1 | i . | d Code ² known) | Name of Patentee or Applicant of Cited Document | Oate of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines, where relevant passages or relevant figures appear |
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| Signature | · | Considered |
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| Application Number | 09/896,004 | |
| Filing Date | June 29, 2001 | |
| First Named Inventor | Steven C. Arnold | |
| Group Art Unit | 1616 | |
| Examiner Name | N.S. Levy | |
| Attorney Docket Number | ETH1572 | |

| | | | U.S. PATENT DOCUMENTS | | |
|---------------------------------------|----------|---|---------------------------------|--|---|
| Examiner Initials | Cite | U.S. Patent Document Kind Cor Number (if know | of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines, where relevant passages or relevant figures appear |
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| | | Foreign | Patent Docume | ent | Name of Patentee or | Date of Publication of Cited Document | Pages, Columns, Lines, where relevant | |
| Examiner initials | Cite No. ¹ | Office ³ | Number ⁴ Ki | indCode ⁵ | Applicant of Cited Document | mm-dd-yyyy | passages or relevant figures appear | T⁵ |
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| Filing Date | June 29, 2001 |
| First Named Inventor | Steven C. Arnold |
| Group Art Unit | 1616 |
| Examiner Name | N.S. Levy |
| Attorney Docket Number | ETH1572 |

| | | OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | |
|-------------------------|--------------|---|-----|
| Examiner's Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T² |
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SUBMISSION UNDER MPEP 609 D

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| Filing Date | June 29, 2001 |
| First Named Inventor | Steven C. Arnold |
| Group Art Unit | 1616 |
| Examiner Name | N.S. Levy |
| Attorney Docket Number | ETH1572 |

Page 1 of 1

| | | U.S. PA | TENT DOCUMENTS | | |
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| Examiner Initials | Cite No.1 | Name of Patentee or Applicant of Cited Document | | | |
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| Examiner | , | Date | |
|-----------|---|------------|--|
| Signature | | Considered | |